



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/196,658	11/19/1998	ALAIN RABAEIJS	IMEC84.001AU	9395

20995 7590 02/10/2003

Knobbe Martens Olson & Bear LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER

CORRIELUS, JEAN B

ART UNIT	PAPER NUMBER
----------	--------------

2631

DATE MAILED: 02/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/196,658

Applicant(s)

RABAEIJS ET AL.

Examiner

Jean B Corrielus

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-10 and 16-21 is/are pending in the application.
- 4a) Of the above claim(s) _ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-10 and 16-21 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 December 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2631

QUAYLE ACTION

1. This application is in condition for allowance except for the following formal matters:

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, a switch for selectably switching the other of the received L1 and L2 signals and the one L1 and L2 signals, as recited in claims 8 and 16, a first integrator for integrating the demodulated signal, a second integrator for integrating the second demodulated signal, a correlator for correlating a result of the integration steps, a phase adjuster for adjusting the phases of the locally generated code, a comparator a combiner, a first and second accumulator as recited in claims 9 and 20, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

In addition, page 28, lines 28-29, refers to element 864 of fig. 14 as a comparator and a multiplier.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: 312, 318, 322, 324, 328 and 863.

Art Unit: 2631

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Specification

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). The specification needs to be amended to provide support for the limitations of: a **phase adjuster** for adjusting the phases of the locally generated code. A **comparator** for comparing the absolute value of the integrated signals, a **combiner** for combining the values of the integrated signals, a first and second accumulators for accumulating output of the combiner for each of the L1 and L2 signals, as recited in claims 9 and 20.

Allowable Subject Matter

3. Claims 8-10 and 16-21 are allowed.

Response to Arguments

4. Applicant's arguments filed 12/23/02 have been fully considered but they are not persuasive. Applicant stated that fig. 15 shows element 95 as the claimed "switch" recited in claims 8 and 16. However, it is noted that such "a switch" only switches between a known code

Art Unit: 2631

and the delay version of the known code. The drawing does not show such “a switch” switching between the L1 and the L2 signals as recited in the claims. It is further alleged that the accumulator 1 of device 84L1 is the first integrator and that the accumulator 1 of device 84L2 is the second integrator. However, the drawing neither shows the output of the first demodulator going to the first integrator nor the output of the second demodulator going to the second integrator. It is further stated that element 86 of fig. 13 is the correlator recited in the claim. However, the drawing does not show that element 86 receives the output signals from the first and second integrators. It is the applicant’s argument that comparator and combiner are shown in fig. 14 as elements 864 and 865, respectively and that the first and second integrator are shown in fig. 13. However, the claim recites that the comparator, combiner, first and second accumulator are part of the correlator. The drawing does not shows such elements ^{as} ~~are~~ part of the correlator 86. *Al*

5. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

Art Unit: 2631

(703) 872-9314

(for informal or draft communications, please label "PROPOSED" or
"DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington. VA., Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Jean B. Corrielus whose telephone number is (703) 305-4023.
The examiner can normally be reached on Monday-Thursday from 7:00 A.M. to 5:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Chi Pham, can be reached on (703) 305-4378.

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Group receptionist whose telephone number is (703) 305-3800.

 2/5/03
Jean B. Corrielus

Primary Examiner

TC-2600